

REMARKS:

The subject patent application has been subjected to a restriction requirement under 35 USC §121. During a telephone call on March 1, 2005, Alvin T. Rockhill, the attorney for the applicants, discussed this restriction requirement and made a provisional election with traverse to prosecute the invention of Group I, which includes claims 1-13. In affirmation of this election, the claims directed to the non-elected invention (claims 14-20) have been cancelled by this amendment. During the telephone conversation, glycidyl methacrylate was elected as the species of monomer with reactive cure sites and polyvinyl chloride was elected as the species of thermoplastic resin.

The claims pending in the subject patent application have been rejected under 35 USC §102(b) as being anticipated by the teachings of United States Patent 3,833,683 (Dickie). On April 7, 2005, Alvin T. Rockhill participated in an interview with Examiner Kelechi C. Egwim regarding this rejection. During the interview Mr. Rockhill pointed out that Dickie disclosed a core-shell having an outer shell that contained a minimum of about 30 mole percent of methyl methacrylate (see Dickie at column 3, lines 36-38 and at column 4, lines 4-7). This is in contrast to the polymer of the present invention which does not include any methyl methacrylate in an outer shell.

During the interview it was agreed that the subject invention could be distinguished from the teachings of Dickie by specifying that the polymers of the present invention were made by a two-step polymerization process wherein the second polymerization step is void of methyl methacrylate. Examiner Egwim indicated that such a claim should include more detail with respect to which monomeric components were included in the first polymerization step and which monomeric components were included in the second polymerization step. It was accordingly agreed that claim 1 should be amended by adding the following language at the end of the claim:

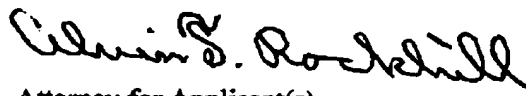
“wherein the rubbery polymer is synthesized by a two-step polymerization process, wherein (a) the butyl acrylate, (b) the member selected from the group consisting of methyl methacrylate, ethyl methacrylate, methyl acrylate, and ethyl acrylate, (c) optionally, the alkoxy ethyl acrylate or the alkoxy ethyl methacrylate, (d) a portion of the acrylonitrile (f) the cross-linking agent, and (g) the monomer containing reactive cure sites are polymerized in the first polymerization step,

wherein (d) additional acrylonitrile, (e) the styrene, and (f) additional cross-linking agent are polymerized in the second polymerization step, and wherein the second polymerization step is void of methyl methacrylate."

Claim 7 was objected to because the word "glycidyl" is misspelled in line 3 of the claim. Claim 7 has been amended to correct this spelling error.

The claims pending in the subject patent application have been amended in accordance with the agreement reached in the interview on April 7, 2005. It is accordingly believed that this amendment puts the subject patent application in a condition for allowance and such an allowance is respectfully requested.

Respectfully submitted,


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